

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

STACY BROWN,

Plaintiff

v.

C-1-09-901

COMMISSIONER OF SOCIAL SECURITY,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 17) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case. This Court accepts the Report as uncontroverted. The Report and Recommendation is ADOPTED AND INCORPORATED herein.

Accordingly, for the reasons stated in the Report and Recommendation (doc. no. 17), the Commissioner's decision to deny DIB and SSI benefits is REVERSED AND REMANDED pursuant to Sentence Four of 42 U.S.C. §405(g). The ALJ is instructed to properly weigh and discuss the medical evidence and mental health records as required and consider all relevant limitations concerning the impact of plaintiff's obesity and any additional limitations caused by her ongoing mental health diagnoses and treatment.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court